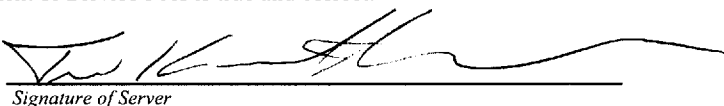


AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me ⁽¹⁾	DATE	8/15/08
NAME OF SERVER (PRINT) Ted Kwiatkowski	TITLE	Process Server
Check one box below to indicate appropriate method of service		
<input checked="" type="checkbox"/> Served personally upon the defendant. Place where served: DEBRA P. HACKETT, who refused her name.		
<input checked="" type="checkbox"/> Left copies with receptionist who refused her name.		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.		
Name of person with whom the summons and complaint were left:		
<input type="checkbox"/> Returned unexecuted:		
<input type="checkbox"/> Other (specify):		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL \$0.00
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p>		
Executed on	8/21/08	 Signature of Server
		Smart Serve Process Serving 115 South Prince Drive Depew, NY 14043 Address of Server
<div style="border: 1px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <p style="margin: 0;">RETURNED AND FILED</p> <p style="margin: 0;">SEP - 2 2008</p> <p style="margin: 0;">CLERK U. S. DISTRICT COURT MIDDLE DIST. OF ALA.</p> </div>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

MIDDLE

District of

ALABAMA

RUBY STREETER

ALIAS

2008 SEP - 2 A 11:02

SUMMONS IN A CIVIL ACTION

V.

OFFICE OF DOUGLAS R. BURGESS, LLC.,
ET AL.

ABRAHAM P. HACKETT, JR.
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA
CASE NUMBER: 1:07-CV-97

RETURNED AND FILED

TO: (Name and address of Defendant)

SEP - 2 2008

MARK BOHN
2809 WEHRLE DR.
STE. 1
WILLIAMSVILLE, NY 14221

CLERK
U. S. DISTRICT COURT
MIDDLE DIST. OF ALA.

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

DAVID G. POSTON, ESQ.
BROCK & STOUT, LLC.
POST OFFICE DRAWER 311167
ENTERPRISE, AL 36331

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

Debra T. Hackett

8/12/08

CLERK

DATE

(By) DEPUTY CLERK

ATTORNEY

BS

DGP

U.S. DISTRICT COURT

MIDDLE DISTRICT OF ALABAMA

INDEX # 1:07-CV-97

D/O/F 8/12/2008

RUBY STREETER

2008 SEP -2 A 11:02

DEBRA P. HACKETT, CLERK
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

OFFICE OF DOUGLAS R. BURGESS, LLC, ET AL

**AFFIDAVIT
OF
SERVICE**

DEFENDANT/RESPONDENT

Erie County, New York State;

TED KWIATKOWSKI

being sworn,

says: Deponent is not a party herein, is over the age of 18 years and resides in the State of New York.

on **08/15/2008** at **11:21 AM** at **2809 WEHRLE DRIVE, STE. 1, WILLIAMSVILLE, NY 14221**

Deponent served the within **SUMMONS IN A CIVIL ACTION AND AMENDED COMPLAINT
WITH JURY DEMAND**

On **MARK BOHN**

DEFENDANT

(Herein after called the recipient) therein named.

SUBSTITUTED SERVICE

RECEPTIONIST (REFUSED NAME)

By delivering thereat at true copy of each to

a person of suitable age and discretion. Said premises is defendants

actual place of business

within the State.

MAILING

Within 20 days of such delivery, or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known Place of Employment at

2809 WEHRLE DRIVE, STE. 1 WILLIAMSVILLE, NY 14221

On **8/16/08**

and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof by return address or otherwise that the communication was from an attorney or concerned an action against the defendant.

PHYSICAL DESCRIPTION AS FOLLOWS

FEMALE BLACK SKIN

BLACK HAIR

21-35 YRS

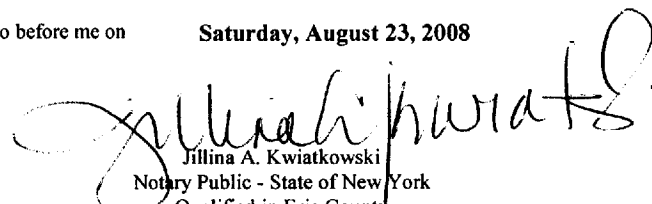
5'5-5'8


161-200 LBS

OTHER IDENTIFYING FEATURES

NONE

Sworn to before me on **Saturday, August 23, 2008**


Jillina A. Kwiatkowski
Notary Public - State of New York
Qualified in Erie County
Reg. # 01KW6057316
My Commission Expires 04/16/11


TED KWIATKOWSKI
AFF. # 113752